

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: March 16, 2005

Division: County Administrator

Bulk Item: Yes X No

Department: County Administration

Staff Contact Person: Tom Willi

AGENDA ITEM WORDING:

Authorization for the County Attorney to prepare proper conveyance documents to complete the transfer of property from Monroe County to Key Largo Volunteer Ambulance Corp (KLVAC).

ITEM BACKGROUND:

The referenced property was deeded to Monroe County exercising County's right of first refusal for FDOT surplus properties. The KLVAC attempted to gain ownership of the parcel but was restricted by Florida Statute. KLVAC is requesting that the County to complete the conveyance at this time.

PREVIOUS RELEVANT BOCC ACTION:

Resolution # 521-1999 accepting quit claim deed from FDOT -10/13/99

Resolution #222-1997 setting forth public purpose provision and acknowledging that the building upon the property was constructed by KLVAC.

CONTRACT/AGREEMENT CHANGES:

STAFF RECOMMENDATIONS:

Approve request by KLVAC and direct the County Attorney to prepare proper conveyance instrument.

TOTAL COST: NA

BUDGETED: Yes No

COST TO COUNTY: NA

SOURCE OF FUNDS:

REVENUE PRODUCING: Yes No **AMOUNT PER MONTH** **Year**

APPROVED BY: County Atty OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL: Thomas J. Willi
(TYPE NAME HERE)

DOCUMENTATION: Included XX Not Required

DISPOSITION: **AGENDA ITEM #**



BOARD OF COUNTY COMMISSIONERS

MAYOR Dixie M. Spehar, District 1
Mayor Pro Tem, Charles "Sonny" McCoy, Dist 3
George Neugent, District 2
David P. Rice, District 4
Murray E. Nelson, District 5

Office of the County Attorney
PO Box 1026
Key West, FL 33041-1026
305/292-3470 - Phone
305/292-3516 - Fax



M E M O R A N D U M

TO: Thomas J. Willi
County Administrator

FROM: Suzanne A. Hutton *SAH*
Assistant County Attorney

DATE: February 25, 2005

SUBJECT: Key Largo Volunteer Ambulance Corps/DOT surplus property

Your memo of January 19, 2005 to the County Attorney was forwarded to me for response. Key Largo Volunteer Ambulance Corps (KLVAC) has requested that ownership of the parcel (parts of Lots 22 and 17 of Model Land Co. plat PB1/68) be conveyed to them. You have requested an opinion as to the legality of the County turning said parcel over to KLVAC, with particular attention to two specific questions as follows:

1. Can the County lawfully transfer ownership of the parcel to KLVAC due to the public purpose requirements set forth within FDOT's guidelines?
2. Do the operations of KLVAC meet the public purpose requirements set forth in statute?

It would be permissible for the County to transfer title to KLVAC with a reverter clause.

First, the quitclaim deed by which the County obtained title to the subject property contains a reverter clause that states: "The property herein described is to be used for Public Safety Facilities, by the Party of the Second Part. If the property ceases to be used for the above described purpose all property rights shall revert back to the said Party of the First Part." The first sentence of the reverter would seem to indicate that the property has to be used for public safety facilities and only by

Tom Willi
KLVAC
February 25, 2005
Page 2

Monroe County. However, the second sentence clarifies that it is the use for public safety facilities which controls whether the property reverts back to FDOT. A copy of the quitclaim deed is attached hereto for your convenience. A possibility of reverter is traditionally conditioned upon a change in use, not a change in ownership. Under Florida law, a possibility of reverter may be conveyed, indicating that there is also no statutory bar to transferring property which is subject to a possibility of reverter. Richardson v. Holman, 160 Fla. 65, 33 So.2d 641 (Florida 1948).

Also, the protections intended by the FDOT in retaining a possibility of reverter will not change by virtue of the transfer of the property from the County to a non-profit corporation. Section 689.18, F.S., provides that reverter clauses are enforceable only for 21 years from the date of the conveyance. However, under (5) of that statute, conveyances made to governmental, educational, literary, scientific, religious, public utility, public transportation, charitable or non-profit corporations are excepted from the provisions of the statute. Therefore, the possibility of reverter would carry over indefinitely if title was to be transferred to KLVAC.

Based on the specific language in the second sentence of the reverter clause, it is my opinion that the County may transfer title of the subject property to the KLVAC, subject to the possibility of reverter to FDOT if the property ever ceases to be used for public safety purposes.

Please call if you have any questions.

Enc.

Memorandum
Office of the County Administrator

To: Richard Collins, County Attorney

From: Thomas J. Willi, County Administrator *TW/RS*

Date: January 19, 2005

Subject: Key Largo Volunteer Ambulance Corps/DOT surplus property

Please find attached documents relative to the transfer of surplus property from FDOT to Monroe County.

As you may be aware, FDOT declared a parcel in Key Largo as surplus property. The KLVAC was interested in gaining ownership of the parcel as their facility is located upon the property, however, Florida State Statute holds that the local government has right of first refusal in such instances. Consequently, the County accepted the property from FDOT in 1997 and has retained ownership since that time.

KLVAC has requested that ownership of the parcel be turned over to them since they initiated the transfer process and operate the facilities located upon the parcel.

When considering this request the following issues need clarification:

Can the county lawfully transfer ownership of the parcel to KVLAC due to the public purpose requirements set forth within FDOT's guidelines? Do the operations of KVLAC meet the public purpose requirements set forth in statute?

In essence, it would be my recommendation to convey this parcel.

Please provide your opinion at the earliest convenience.

Att.

Cc: Board of County Commissioners
KVLAC, Franky Jones, Chief



KEY LARGO VOLUNTEER AMBULANCE CORPS, INC.

MEMORANDUM

RECEIVED

JAN 13 2005

COUNTY ADMINISTRATOR

DATE: January 12, 2005
TO: Mr. Tom Willi
County Administrator
FROM: Franky Jones, Chief
KLVAC *FJ*
RE: **DOT/KLVAC Property**

.....
Attached please find the paperwork we discussed at today's meeting.

If you have nay questions or comments, please feel free to call my office.

Thank you for your cooperation with this matter.

FLORIDA

LAWTON CHILES
GOVERNOR



DEPARTMENT OF TRANSPORTATION

Right of Way Administration
1000 NW 111th Avenue
Miami, Florida 33172
Tel. (305) 470-5150

BEN G. WATTS
SECRETARY

August 26, 1996

Mr. Franky R. Jones, Chief
Key Largo Volunteer Ambulance Corps, Inc.
98600 Overseas Highway
Key Largo, Florida 33037

**RE: DISPOSAL OF SURPLUS PROPERTY
AND RIGHT OF FIRST REFUSAL
FOR LOCAL GOVERNMENTS**

Lessee:	:	Monroe County/Key Largo Vol. Amb. Corps
W.P.I. No.	:	6116623
Section/Job No.	:	90060-2517
F.A.P. No.	:	N/A
State Road No.	:	5, Median
County/Key	:	Monroe, Key Largo, M.M. 98.6
Parcel No.	:	6010 (0043)

Dear Mr. Jones:

This is in response to your letter dated August 13, 1996, in which you informed us of your desire to purchase approximately 20' x 45' on the North end of the portion of Right of Way you are leasing from Monroe County (FDOT's Parcel 6010).

The enclosed memo dated August 8, 1996 states the possibility of acquiring excess right of way, if declared surplus, as indicated on the options "A" and "B", Section II, Compensation from Local Governments of said memo.

Please contact Monroe County regarding this legislature amended section 337.25 (4), Florida Statutes, to find out how it may affect the Key Largo Volunteer Ambulance Corps, Inc's desire to purchase the above parcel.

Sincerely,

Alberto Villarreal

Alberto Villarreal
Senior Property Management Agent

AV Monroe County Right of First Refusal/Key Largo Vol . Amb. Corps cc: Susan Day, Robert Cochrane, RM, PM, File

B-14-96 cc: SD

MEMORANDUM

FLORIDA DEPARTMENT OF TRANSPORTATION
OFFICE OF RIGHT OF WAY MAIL STATION 22 SUNCOM 278-2421

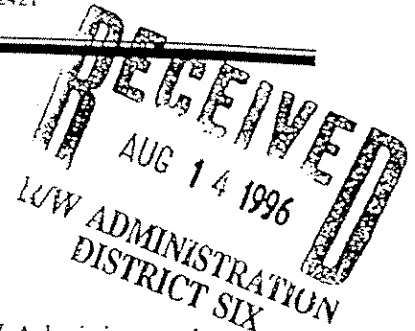
DATE: August 8, 1996

TO: District Right of Way Managers

FROM: Kenneth M. Towcimak, Director, Office of Right of Way

COPIES: B. Deyo, J. Garner, K. Kuester, M. Akridge, District R/W Administrator's,
Property Management, J. Boltz, File

SUBJECT: INTERIM DIRECTIVE PROPERTY MANAGEMENT-96-1
DISPOSAL OF SURPLUS PROPERTY AND RIGHT OF FIRST REFUSAL
FOR LOCAL GOVERNMENT'S



This years legislature amended Section 337.25(4), Florida Statutes, to include the following language:

(4) The department may sell, in the name of the state, any land, building, or other property, real or personal, which was acquired under the provisions of subsection (1) and which the department has determined is not needed for the construction, operation, and maintenance of a transportation facility. With the exception of any parcel governed by paragraph (c), paragraph (d), paragraph (f), paragraph (g), or paragraph (i), the department shall afford first right of refusal to the local government in the jurisdiction of which the parcel is situated. When such a determination has been made, property may be disposed of in the following manner:

Due to this change the following interim direction is provided until Rule Chapter 14-19 and Chapter 10, Section 5, Disposal of Surplus Real Property, of the Right of Way Manual can be revised.

I. Right of First Refusal by Local Government

A. Prior to negotiation or competitive bid of any property declared surplus by the District the property must first be offered to the local government in the jurisdiction in which it is located (city or county).

B. The local government shall have 10 working days to respond to the District if it wishes to acquire the property. If the local government requests to acquire the property the District shall halt all other actions until an agreement can be reached with the local government.

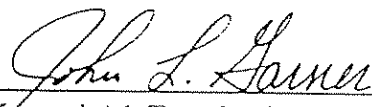
II. Compensation from Local Governments

A. If the local jurisdiction can identify a public purpose for the surplus property the District may dispose of the property for no consideration as outlined in Chapter 10, Section 5, paragraph IV of the Right of Way Manual.

B. If the local government can not identify a public purpose, but still wishes to acquire the property, they may acquire the property from the District at the Districts appraised value.

III. This change does not apply if the disposal would be inequitable to the abutting property owner, if the property is a borrow pit being disposed of to the abutting property owner, was acquired using constitutional gas tax funds, the property was donated and the Department has not constructed the facility, if the property was acquired to provided replacement housing, or if the property is being exchanged for another property.

If you have any questions please contact Mike Akridge.


for: Kenneth M. Towcimak

KMT/mta



KEY LARGO VOLUNTEER AMBULANCE CORP, INC.

August 13, 1996

Mr. Alberto Villarreal
Florida Department of Transportation
Right of Way Administration
1100 N. W. 111th Avenue
Miami, Florida 33172

Dear Mr. Villarreal:

As we have grown and our operations have expanded, including on site housing of EMS personnel, providing office space for FHP and the Monroe County Trauma Office, providing CPR, EMT and State mandated continuing education for our members and the public, our space demands have increased immensely.

This necessitates our consideration of an addition to the Key Largo Ambulance building of approximately 20' x 45' on the North end of the property listed as:

W.P.I. No.: 6116623
Section 90060-2516
S.R. 5 (Median Strip)
County: Monroe
Parcel No.: (0043) 6010

This area would be large enough for two (2) ambulances to be kept in the Bay. These vehicles contain narcotics and drugs that are temperature dependant and need the extra security that being inside would afford. The space above the Bay area would be used for crew quarters, which would guarantee a timely response to emergencies.

We have begun the process of organizing the financing, drawing up the plans and are ready to apply for permits from Monroe County if FDOT approval is granted.

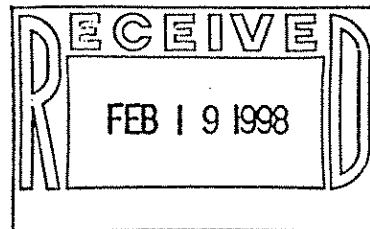
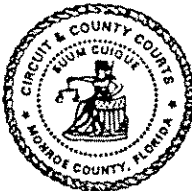
Also, at this time I would like to explore the option of purchasing the parcel on which the building stands, if this is permissible under state guidelines.

Your attention to this matter is greatly appreciated.

Very truly yours,

Franky R. Jones, Chief
Key Largo Volunteer Ambulance Corps, Inc.

For your files



Danny L. Kolhage

BRANCH OFFICE
3117 OVERSEAS HIGHWAY
MARATHON, FLORIDA 33050
TEL. (305) 289-6027
FAX (305) 289-1745

CLERK OF THE CIRCUIT COURT
MONROE COUNTY
500 WHITEHEAD STREET
KEY WEST, FLORIDA 33040
TEL. (305) 292-3550
FAX (305) 295-3660

BRANCH OFFICE
88820 OVERSEAS HIGHWAY
PLANTATION KEY, FLORIDA 33070
TEL. (305) 852-7145
FAX (305) 852-7146

MEMORANDUM

TO: Commissioner Mary Kay Reich
FROM: Ruth Ann Jantzen, Deputy Clerk *RAJ*
DATE: February 17, 1998

FEB 27 RECD

At the June 18, 1997 County Commission Meeting, the Board adopted Resolution No. 222-1997 accepting the land located at 98600 Overseas Highway, Key Largo, from the State of Florida Department of Transportation; setting forth the public purpose for which the land shall be used; setting forth that the building located on said land shall be leased to the Key Largo Volunteer Corps naming the building; and officially recognizing the fact that the building was built and paid for by the Key Largo Volunteer Ambulance Corps and its supporters.

Enclosed please find a certified copy of the above Resolution for your handling. If you have any questions, please do not hesitate to contact this office.

cc: County Attorney
Finance
Public Safety Director
County Administrator, w/o document
File

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA ACCEPTING THE LAND LOCATED AT 98600 OVERSEAS HIGHWAY, KEY LARGO, MONROE COUNTY, FLORIDA FROM THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION; SETTING FORTH THE PUBLIC PURPOSE FOR WHICH THE LAND SHALL BE USED; SETTING FORTH THAT THE BUILDING LOCATED ON SAID LAND SHALL BE LEASED TO THE KEY LARGO VOLUNTEER CORP. NAMING THE BUILDING; AND OFFICIALLY RECOGNIZING THE FACT THAT THE BUILDING WAS BUILT AND PAID FOR BY THE KEY LARGO VOLUNTEER AMBULANCE CORPS. AND ITS SUPPORTERS.

WHEREAS, the State of Florida, Department of Transportation, owns the land located at 98600 Overseas Highway, Key Largo, Monroe County, Florida legally described as set forth in Exhibit "A" which is attached hereto; and

WHEREAS, the State of Florida, Department of Transportation has determined that said land is surplus and desires to donate said land to Monroe County; and

WHEREAS, the County desires to accept the said land for a "public purpose" as provided for in s.337.25, Florida Statutes and Rule 14-19.004, F.A.C., which public purpose is set forth hereafter in this Resolution; and

WHEREAS, the County has further determined that the Key Largo Volunteer Ambulance Corps. provides an essential community service to the citizens of the County, and to the tourists who visit Key Largo and other locations within Monroe County, by providing emergency medical care to sick and injured persons in and about Key Largo and by providing the citizens with an advanced life support ambulance service and in so doing supplies the County with low cost and professional emergency medical services at a cost savings to the County which is significant; and

WHEREAS, prior to the State of Florida, Department of Transportation having determined that said land was surplus, the County had entered into a long term lease with the Department of Transportation wherein the County had leased the said land from the Department of Transportation; and

WHEREAS, during the term of said lease, a building was constructed upon said land by the Key Largo Volunteer Ambulance Corps., its members and its supporters for use as the headquarters for the Key Largo Volunteer Ambulance Corps.; and

WHEREAS, the Key Largo Volunteer Ambulance Corps. paid for the costs incurred in the construction and furbishing of the building, including the payment in full of the loan obtained to pay for a substantial portion of the costs of the construction of the building on said land; and

WHEREAS, the County wishes to recognize the substantial contribution of the Key Largo Volunteer Ambulance Corps. and its service to the citizens of the Monroe County and to the tourists who visit Key Largo and other locations within Monroe County and that the existence and work of the Key Largo Volunteer Ambulance Corps. is an essential community activity of Key Largo; and

WHEREAS, the County wishes to acknowledge, for the reasons previously stated herein, that the use of the said building by the Key Largo Volunteer Ambulance Corps. is consistent with the term "public purpose" as defined in Rule 14-19.004, F.A.C. in that the Key Largo Volunteer Ambulance Corps.; and

WHEREAS, the County recognizes that it is in the best interest of the citizens of Key Largo and of Monroe County for Key Largo Volunteer Ambulance Corp. to use said building and land for purposes of providing emergency medical services;

NOW THEREFORE

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA that

Section 1. The County accepts the donation of the land located at 98600 Overseas Highway, Key Largo, Monroe County, Florida.

Section 2. For so long as the Key Largo Volunteer Ambulance Corp. provides emergency medical services to the citizens of Key Largo and Monroe County, the County shall lease the aforesaid land to the Key Largo Volunteer Ambulance Corp. for the sum on \$1.00 per year for its use and occupancy.

Section 3. The building located upon said land shall henceforth be designated as the "Key Largo Volunteer Ambulance Corps. Building".

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting of the Board held on the ____ day of _____, 1997.

Mayor Douglas
Mayor Pro Tem London
Commissioner Harvey
Commissioner Freeman
Commissioner Reich

(SEAL)
ATTEST: DANNY L. KOLHAGE, CLERK

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
Deputy Clerk

By _____
Mayor/Chairman



KEY LARGO VOLUNTEER AMBULANCE CORPS, INC.

June 5, 2003

Commissioner Murray Nelson
Damaron Building, Suite II
99198 Overseas Highway
Key Largo, FL 33037

Dear Commissioner Nelson:

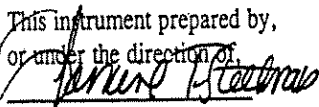
Per conversations over the last several weeks regarding Key Largo Ambulance receiving title to the ambulance building site, we request that the property we lease from Monroe County be titled to Key Largo Ambulance. In support of this, the building was built by the KLVAC volunteers using corporate funds and donations in 1974. The new addition has been paid for using funds accrued through billing for interfacility transfers. No Monroe County funds were used.

I originally attempted to secure the property under the states "disposal of surplus property". We were informed that local government had first offer of said property before it could be offered to a non-profit organization. Monroe County for whatever reason accepted and in turn leased it to us, negating our desire to obtain title.

Please see supporting documentation. If you have any questions or comments, please call.

Sincerely,

Franky R. Jones, Chief
KEY LARGO VOLUNTEER AMBULANCE CORPS, INC.

This instrument prepared by,
or under the direction of,

Francine T. Steelman
Assistance District Counsel

Parcel No.:6010
Item/Segment No.:250268-1
Managing District:Six

MONROE COUNTY
OFFICIAL RECORDS

FILE #1150985
BK#1603 PG#671

RCD Nov 08 1999 02:50PM
DANNY L KOLHAGE, CLERK

QUITCLAIM DEED
Public Purpose

THIS INDENTURE, made this 09/16/99 by and between the
STATE OF FLORIDA by and through the STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION, Party of the First Part, whose
address is Right of Way Administration, 1000 NW 111st Avenue, Miami,
Florida 33172, to COUNTY OF MONROE, Party of the Second Part,
whose address is Engineering Department, 5100 College Road, Key West,
Florida 33040.

WITNESSETH

WHEREAS, said land hereinafter described was heretofore acquired for state highway purposes; and

WHEREAS, said land is no longer required for such purposes, and the Party of the First Part, by action of the
District Secretary, District Six Florida Department of Transportation on 09/16/99, pursuant to the provisions of
Section 337.25 Florida Statutes, has agreed to quitclaim the land hereinafter described to the Party of the Second Part without
consideration, to be used solely for public purposes.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the Party of the First Part does hereby remise,
release and quitclaim unto the Party of the Second Part, and assigns, forever, all the right, title and interest of the State of
Florida Department of Transportation to the property herein described to be used solely for public purposes, pursuant to the
provisions of Section 337.25, Florida Statutes, all that certain land situate in Monroe County, Florida, viz:

(Legally described in Exhibits A and B, attached hereto and made a part hereof).

TO HAVE AND TO HOLD, the said premises and the appurtenances thereof unto the Party of the Second Part.

REVERTER - The property herein described is to be used for Public Safety Facilities, by the Party of the Second
Part. If the property ceases to be used for the above described purpose all property rights shall revert back to the said Party
of the First Part.

IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed
in the name of the State of Florida Department of Transportation by its District Secretary, District Six and its seal to be
hereunto affixed, attested by its Executive Secretary, on the date first above written.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: 

Jose Abreu, District Six Secretary

ATTEST: 

Margaret Higgins, Executive Secretary

(Affix Department Seal)

Public Works Division

FILED FOR RECORD
99 NOV -2 AM 9:05
DANNY L. KOLHAGE
CLK. CIR. C.
MONROE COUNTY, FLA.

RESOLUTION NO. 521-1999

A RESOLUTION OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ACCEPTING A QUITCLAIM DEED FOR PROPERTY SHOWN ON EXHIBIT A, FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE KEY LARGO VOLUNTEER FIRE STATION, A PUBLIC SAFETY FACILITY.

WHEREAS, FDOT no longer requires this land for state highway purposes; and

WHEREAS, Monroe County is using this property for a public safety facility; and

WHEREAS, FDOT is conveying this parcel for non-consideration;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, TO ACCEPT THE QUITCLAIM DEED FROM FDOT FOR THE PROPERTY SHOWN ON EXHIBIT A.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 13th day of October, A.D., 1999.

Mayor Harvey	<u>Yes</u>
Mayor Pro Tem Freeman	<u>Yes</u>
Commissioner Williams	<u>Yes</u>
Commissioner Neugent	<u>Yes</u>
Commissioner Reich	<u>Yes</u>

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY.

BY [Signature]
ROBERT N. WOLFE
DATE 10-12-99

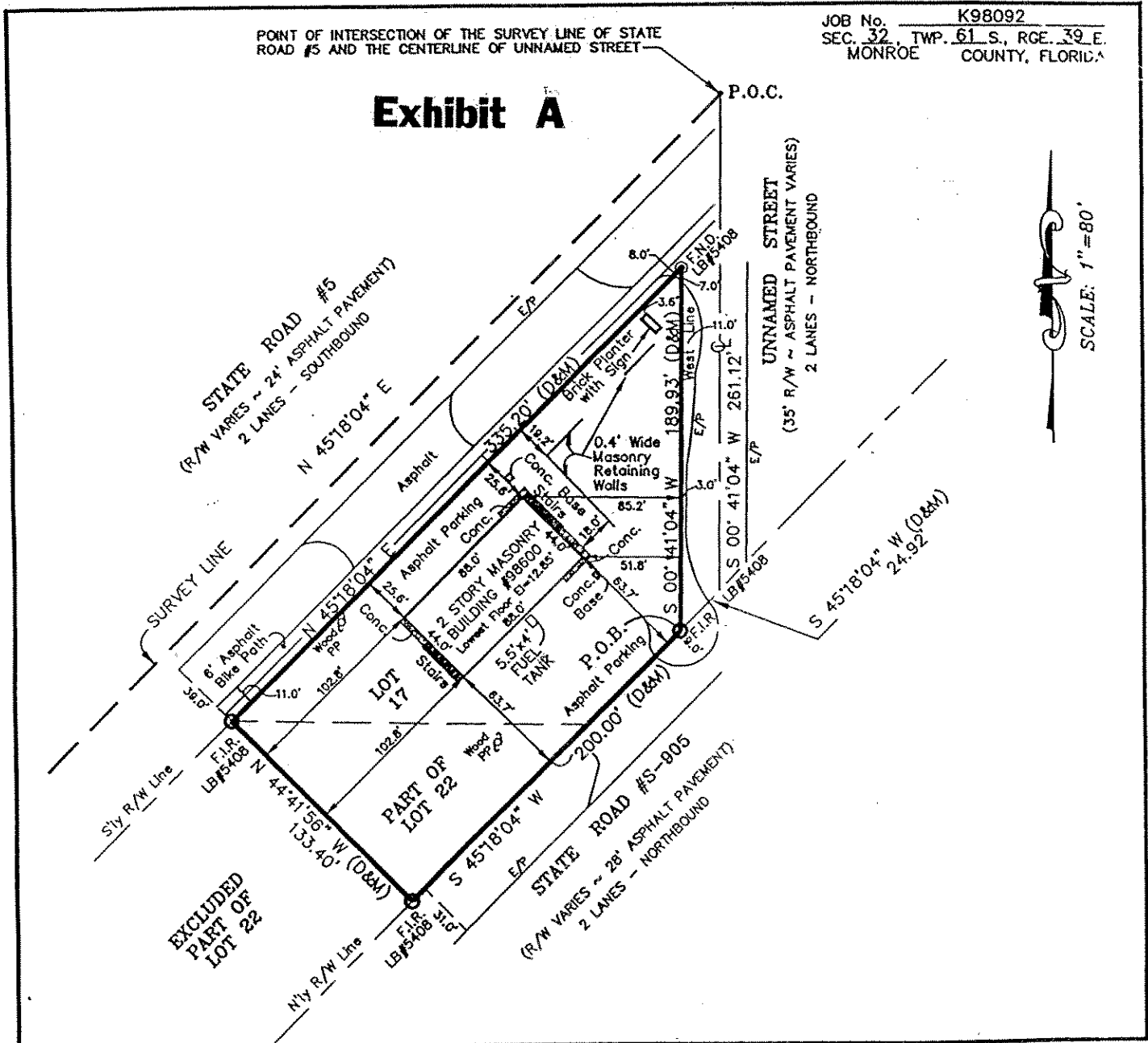


BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY

By [Signature]
Mayor/Chairman

ATTEST: DANNY L. KOLHAGE, CLERK

By [Signature]
Deputy Clerk



CERTIFIED FOR BOUNDARY SURVEY

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

REVISÉ: 07/07/99

REVISÉ:

DATE: 06/22/98

LAWRENCE P. FRANK, P.L.S.#4619

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND
MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR
INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.



FRANK & ELLIOTT

SURVEYORS • ENGINEERS • LAND PLANNERS

83266 OVERSEAS HIGHWAY, SUITE 500, ISLAMORADA, FLORIDA 33036

Phone (305) 664-0764 FAX (305) 664-0816

A DIVISION OF MEGAVISION BUSINESS CORPORATION L.B. NO. 5408

FLORIDA DEPARTMENT OF TRANSPORTATION
DISTRICT VI *Item/Seg/No.: 250268-1*

WPI No: 6116623

Sec/Job No: 90060-2516

FAP No: *N/A*

State Road No: *5, Median*

County/Key/MM: *Monroe, Key Largo, M.M. 98.6*

Parcel No: 6010

Sheet 1 of 2

CERTIFIED TO:

MONROE COUNTY ENGINEERING DEPARTMENT

Exhibit B

JOB No. K98092
SEC. 32, TWP. 61 S., RGE. 39 E.
MONROE COUNTY, FLORIDA

LEGAL DESCRIPTION:

THOSE PARTS OF LOTS 22 AND 17 OF MODEL LAND CO. PLAT ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 68, IN THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, SAID PARTS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT OF INTERSECTION OF THE SURVEY LINE OF STATE ROAD 5 AND THE CENTERLINE OF AN UNNAMED STREET LYING EASTERLY OF AND CONTIGUOUS TO SAID LOT 17, RUN S 00°41'04" W A DISTANCE OF 261.12 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD S-905; THENCE S 45°18'04" W A DISTANCE OF 24.92 FEET TO THE SOUTHEAST CORNER OF SAID LOT 17 AND THE POINT OF BEGINNING; THENCE CONTINUE S 45°18'04" W A DISTANCE OF 200.00 FEET; THENCE N 44°41'56" W A DISTANCE OF 133.40 FEET TO THE NORTHERLY LINE OF SAID LOT 22; THENCE N 45°18'04" E A DISTANCE OF 335.20 FEET TO THE WEST LINE OF SAID UNNAMED STREET; THENCE S 00°41'04" W A DISTANCE OF 189.93 FEET TO THE POINT OF BEGINNING:

CONTAINING 35,698 SQUARE FEET, MORE OR LESS.

ALL AS SHOWN ON THE RIGHT OF WAY MAPS FOR SECTION 90060-2516, STATE ROAD 5, MONROE COUNTY.
SECTION 90060 - PROJ. 2516 (5240)

STATE ROAD 5

MONROE COUNTY

PAR. No. F.E.C.R.R. R/W(x) PT.

NEW PARCEL NUMBER 43

ABBREVIATION LEGEND:

F.I.R. FOUND IRON ROD, SIZE INDICATED	SEC. SECTION
S.I.R. SET IRON ROD, 1/2" L.B. No. 5408	TWP. TOWNSHIP
F.I.P. FOUND IRON PIPE, SIZE INDICATED	RGE. RANGE
F.N.D. FOUND NAIL AND DISK	(D) DEED
S.N.D. SET NAIL AND DISK, L.B. No. 5408	(P) PLAT
F.C.M. FOUND CONCRETE MONUMENT	(M) MEASURED
P.R.M. PERMANET REFERENCE MONUMENT	(C) CALCULATED
P.C.P. PERMANENT CONTROL POINT	CONC. CONCRETE
P.I. POINT OF INTERSECTION	COV. COVERED
P.C. POINT OF CURVE	E/P EDGE OF
P.O.B. POINT OF BEGINNING	PAVEMENT
P.O.C. POINT OF COMMENCEMENT	EL ELEVATION
R/W RIGHT-OF-WAY	WM WATER METER
TYP. TYPICAL	LP LIGHT POLE
PP POWER POLE	
OHW OVERHEAD WIRES	

SURVEYOR'S NOTES:

- 1.) ALL CORNERS FOUND HAVE NO NUMBER DESIGNATING PREVIOUS SURVEYOR OR COMPANY EXCEPT AS SHOWN.
- 2.) ALL BEARINGS AND DISTANCES ARE MEASURED PER PLAT UNLESS OTHERWISE NOTED.
- 3.) NO UNDERGROUND ENCROACHMENTS, FOUNDATIONS OR UTILITIES HAVE BEEN LOCATED OR SHOWN UNLESS OTHERWISE NOTED.
- 4.) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN HEREON.
- 5.) ELEVATION DATUM: N/A, BENCHMARK: N/A.
BASIS OF BEARINGS: SURVEY LINE OF S.R.#5 BEING N 45°18'04" E, AS SHOWN ON STATE OF FLORIDA ROAD ROAD DEPARTMENT RIGHT OF WAY MAP SECTION 90060-2516, SHEET 21 OF 34.
- 6.) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, COMMUNITY No.125129, PANEL No.1004-F, FIRM INDEX DATE 03/03/97, AND THE HEREON DESCRIBED PROPERTY APPEARS TO BE IN ZONE N/A, WITH A BASE ELEVATION OF X M.S.L.

CERTIFIED FOR BOUNDARY SURVEY

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

REVISED:
REVISED:
DATE: 06/22/98

LAWRENCE P. FRANK, P.L.S.#4619

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.



FRANK & ELLIOTT

SURVEYORS • ENGINEERS • LAND PLANNERS
83266 OVERSEAS HIGHWAY, SUITE 500, ISLAMORADA, FLORIDA 33036
Phone (305) 664-0764 FAX (305) 664-0816
A DIVISION OF MEGAMSON BUSINESS CORPORATION L.B. NO. 5408

FLORIDA DEPARTMENT OF TRANSPORTATION
DISTRICT VI Item/Seg/No.: 250268-1

WPI No: 6116623

Sec/Job No: 90060-2516

FAP No: N/A

State Road No: 5, Median

County/Key/MM: Monroe, Key Largo, M.M. 98.6

Parcel No: Sheet 2 of 2

MONROE COUNTY
OFFICIAL RECORDS